

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RUSSELL YEAGER,

Plaintiff,

v.

JAMES G. COX,

Defendant.

Case No. 2:13-cv-01358-MMD-PAL

ORDER

(Mtn to Withdraw – Dkt. #7)

This matter is before the court on Plaintiff Russell Yeager's Motion to Withdraw Plaintiff's Application to Proceed In Forma Pauperis (Dkt. #7). Plaintiff is a former prisoner proceeding in this action pro se.

Plaintiff filed an Application to Proceed In Forma Pauperis (Dkt. #4). On April 15, 2014, the court entered an Order (Dkt. #6) advising Plaintiff that his "Notice of Appeal" (Dkt. #1), which the court construed as a complaint seeking judicial relief, did not state a claim upon which relief could be granted. The Order also informed Plaintiff that if the court granted the Application to Proceed In Forma Pauperis, pursuant to 28 U.S.C. § 1915(b)(2), as amended by the Prison Litigation Reform Act, Plaintiff would be required to pay the full filing fee even though the court would have to dismiss this case because it does not have appellate jurisdiction to review a decision by the Nevada Supreme Court. The court therefore held Plaintiff's Application in abeyance and gave Plaintiff thirty days to withdraw the Application.

Having reviewed and considered the matter,

IT IS ORDERED:

1. Plaintiff's Motion to Withdraw (Dkt. #7) is GRANTED.
2. Plaintiff's Application to Proceed In Forma Pauperis (Dkt. #4) is DEEMED WITHDRAWN.

Dated this 19th day of May, 2014.

NOTICE

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